IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:22-CV-037-KDB-DCK

CINDY MICHELLE GARDNER,)
Plaintiff,)))
v.	ORDER
TOWN OF MOORESVILLE, and RUSSELL CLARK,))
Defendants.)))

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Motion To Stay The Proceeding" (Document No. 16) filed June 30, 2022. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion with modification.

By the instant motion, Plaintiff indicates that she has discharged her current counsel and "will need time to get her new attorney caught up." (Document No. 16, p. 1). Plaintiff seeks to stay this case for 120 days. <u>Id.</u> Defendants have consented to the motion to stay.

The undersigned observes that Plaintiff initiated this action with the filing of a "Complaint" (Document No. 1) on April 5, 2022. Plaintiff then filed a "First Amended Complaint" (Document No. 9) on June 6, 2022. The parties' "Certificate Of Settlement Conference" (Document No. 14), and "Defendants' Answer To Plaintiff's First Amended Complaint" (Document No. 15), were filed on June 20, 2022. Based on the foregoing, the parties' "Certificate Of Initial Attorney's Conference" should be filed by July 12, 2022.

The undersigned finds that Plaintiff's request for a four-month stay of this litigation is

excessive. As such, the undersigned will allow a more limited stay. If Plaintiff is unable to resolve

her differences with current counsel or obtain new counsel, she shall be responsible for

representing herself in this case in accordance with the Federal Rules of Civil Procedure and the

Local Rules of this Court.

IT IS, THEREFORE, ORDERED that Plaintiff's "Motion To Stay The Proceeding"

(Document No. 16) is **GRANTED with modification**. This matter is **STAYED** until **August 30**,

2022.

IT IS FURTHER ORDERED that the parties shall file a Certificate Of Initial Attorney's

Conference on or before September 2, 2022.

IT IS FURTHER ORDERED that Plaintiff's counsel shall promptly provide Plaintiff a

copy of this Order.

SO ORDERED.

Signed: July 5, 2022

David C. Keesler

United States Magistrate Judge